

**BEFORE THE
BOARD OF PSYCHOLOGY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

PETER JAY, PH.D.
2841 Hackett Avenue
Long Beach, CA 90815

Psychologist License No. PSY 13216

Respondent.

Case No. W-220

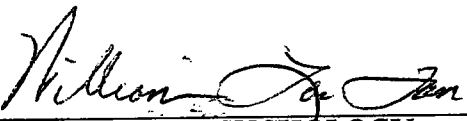
OAH No. L2002080516

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Psychology, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on September 25, 2003.

It is so ORDERED August 26, 2003.



FOR THE BOARD OF PSYCHOLOGY
DEPARTMENT OF CONSUMER AFFAIRS
WILLIAM LEW TAN, PRESIDENT

1 BILL LOCKYER, Attorney General
of the State of California
2 TAYLOR SCHNEIDER, State Bar No. 91232
Deputy Attorney General
3 California Department of Justice
300 So. Spring Street, Suite 1702
4 Los Angeles, CA 90013
Telephone: (213) 897-2687
5 Facsimile: (213) 897-1071

6 Attorneys for Complainant

7 **BEFORE THE**
8 **BOARD OF PSYCHOLOGY**
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

12 **PETER JAY, PH.D.**
2841 Hackett Avenue
13 Long Beach, CA 90815

14 Psychologist License No. PSY 13216

15 Respondent.

Case No. W-220

OAH No. L2002080516

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

17 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the
18 above-entitled proceedings that the following matters are true:

19 PARTIES

20 1. Thomas S. O'Connor (Complainant) is the Executive Officer of the Board
21 of Psychology. He brought this action solely in his official capacity and is represented in this
22 matter by Bill Lockyer, Attorney General of the State of California, by Taylor Schneider, Deputy
23 Attorney General.

24 2. Respondent Peter Jay, Ph.D. (Respondent) is represented in this
25 proceeding by attorney Gary Wittenberg, whose address is Baranov & Wittenberg, 2029 Century
26 Park East, Suite 300, Los Angeles, CA 90067-2904.

27 3. On or about March 1, 1993, the Board of Psychology (Board) issued
28 Psychologist License No. PSY 13216 to Respondent. The license was in full force and effect at

1 all times relevant to the charges brought in Accusation No. W-220 and will expire on June 30,
2 2004, unless renewed.

3 JURISDICTION

4 4. Accusation No. W-220 was filed before the Board on September 12, 2002,
5 and is currently pending against Respondent. The Accusation and all other statutorily required
6 documents were properly served on Respondent on September 12, 2002. Respondent timely
7 filed his Notice of Defense contesting the Accusation. A copy of Accusation No. W-220 is
8 attached as Exhibit A and incorporated herein by reference.

9 ADVISEMENT AND WAIVERS

10 5. Respondent has carefully read, fully discussed with counsel, and
11 understands the charges and allegations in Accusation No. W-220. Respondent has also carefully
12 read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and
13 Disciplinary Order.

14 6. Respondent is fully aware of his legal rights in this matter, including the
15 right to a hearing on the charges and allegations in the Accusation; the right to be represented by
16 counsel at his own expense; the right to confront and cross-examine the witnesses against him;
17 the right to present evidence and to testify on his own behalf; the right to the issuance of
18 subpoenas to compel the attendance of witnesses and the production of documents; the right to
19 reconsideration and court review of an adverse decision; and all other rights accorded by the
20 California Administrative Procedure Act and other applicable laws.

21 7. Respondent voluntarily, knowingly, and intelligently waives and gives up
22 each and every right set forth above.

23 CULPABILITY

24 8. Respondent admits the truth of each and every charge and allegation in
25 Accusation No. W-220, except the allegations contained in Paragraph 7, subdivision g.

26 As to the charges and allegations contained in Paragraph 7, subdivision g,
27 Respondent neither admits nor denies the allegations, but acknowledges that the Board can
28 establish a prima facie case as to these allegations at a hearing; and, should Respondent petition

1 for early termination of probation, Respondent agrees that these charges and allegations shall be
2 deemed admitted for purposes of any Board proceedings.

3 9. Respondent agrees that his Psychologist License is subject to discipline
4 and he agrees to be bound by the Board's imposition of discipline as set forth in the Disciplinary
5 Order below.

6 CONTINGENCY

7 10. This stipulation shall be subject to approval by the Board of Psychology.
8 Respondent understands and agrees that counsel for Complainant and the staff of the Board of
9 Psychology may communicate directly with the Board regarding this stipulation and settlement,
10 without notice to or participation by Respondent or his counsel. By signing the stipulation,
11 Respondent understands and agrees that he may not withdraw his agreement or seek to rescind
12 the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt
13 this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall
14 be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action
15 between the parties, and the Board shall not be disqualified from further action by having
16 considered this matter.

17 11. The parties understand and agree that facsimile copies of this Stipulated
18 Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same
19 force and effect as the originals.

20 12. In consideration of the foregoing admissions and stipulations, the parties
21 agree that the Board may, without further notice or formal proceeding, issue and enter the
22 following Disciplinary Order:

23 DISCIPLINARY ORDER

24 IT IS HEREBY ORDERED that Psychologist License No. PSY 13216 issued to
25 Respondent Peter Jay, Ph.D. is revoked. However, the revocation is stayed and Respondent is
26 placed on probation for three (3) years on the following terms and conditions.

27 1. PRACTICE MONITOR Within 90 days of the effective date of this
28 Decision, shall submit to the Board or its designee for prior approval, the name and

1 qualifications of a psychologist who has agreed to serve as a practice monitor/billing monitor.
2 The monitor shall 1) be a California-licensed psychologist with a clear and current license; 2)
3 have no prior business, professional, personal or other relationship with Respondent; and 3) not
4 be the same person as Respondent's therapist. The monitor's education and experience shall be
5 in the same field of practice as that of the Respondent.

6 Once approved, the monitor shall submit to the Board or its designee a plan by
7 which Respondent's practice shall be monitored. Monitoring shall consist of a least one hour per
8 week of individual face to face meetings and shall continue during the first year of probation.

9 The Respondent shall provide the monitor with a copy of this Decision and access to
10 Respondent's fiscal and/or patient records. Respondent shall obtain any necessary patient
11 releases to enable the monitor to review records and to make direct contact with patients.
12 Respondent shall execute a release authorizing the monitor to divulge any information that the
13 Board may request. It shall be Respondent's responsibility to assure that the monitor submits
14 written reports to the Board or its designee on a quarterly basis verifying that monitoring has
15 taken place and providing an evaluation of Respondent's performance.

16 Respondent shall notify all current and potential patients of any term or condition
17 of probation which will affect their therapy or the confidentiality of their records (such as this
18 condition which requires a practice monitor/billing monitor). Such notifications shall be signed
19 by each patient prior to continuing or commencing treatment.

20 If the monitor quits or is otherwise no longer available, Respondent shall obtain
21 approval from the Board for a new monitor within 30 days. If no new monitor is approved within
22 30 days, Respondent shall not practice until a new monitor has been approved by the Board or its
23 designee. During this period of non-practice, probation will be tolled and any period of non-
24 practice shall not apply to the reduction of this probationary period. Respondent shall pay all
25 costs associated with this monitoring requirement. Failure to pay these costs shall be considered
26 a violation of probation.

27 The monitor shall be required during Respondent's first year of probation only.

28 //

1 2. EDUCATIONAL REVIEW Respondent shall submit to an educational
2 review concerning the circumstances which resulted in this administrative action. The
3 educational review shall be conducted by a Board-appointed expert case reviewer and/or Board
4 designee familiar with this case. Educational reviews are informational only and intended to
5 benefit Respondent's practice by preventing future such complaints. Respondent shall pay all
6 costs associated with this educational review.

7 3. COURSEWORK Respondent shall take and successfully complete all
8 coursework recommended pursuant to the educational review. The amount of coursework
9 required, if any, and the areas in which Respondent shall concentrate shall be determined by the
10 educational reviewer. Course work must be preapproved by the Board or its designee. All
11 coursework shall be taken at the graduate level at an accredited educational institution or by an
12 approved continuing education provider. Classroom attendance is specifically required;
13 correspondence or home study coursework shall not count toward meeting this requirement. The
14 coursework must be in addition to any continuing education courses that may be required for
15 license renewal.

16 Within 90 days after completion of the educational review, Respondent shall
17 submit to the Board or its designee for its prior approval a plan for meeting the educational
18 requirements. All costs of the coursework shall be paid by the Respondent.

19 4. ETHICS COURSE Within 90 days of the effective date of this Decision,
20 Respondent shall submit to the Board or its designee for prior approval a course in laws and
21 ethics as they relate to the practice of psychology. Said course must be successfully completed at
22 an accredited educational institution or through a provider approved by the Board's accreditation
23 agency for continuing education credit. Said course must be taken and completed within one
24 year from the effective date of this Decision. The cost associated with the law and ethics course
25 shall be paid by the Respondent.

26 5. INVESTIGATION/ENFORCEMENT COST RECOVERY Respondent
27 shall pay the Board its costs of investigation and enforcement in the amount of \$5,541.44 within
28 the first year of probation. Such costs shall be payable to the Board of Psychology. Failure to

1 pay such costs shall be considered a violation of probation.

2 6. PROBATION COSTS Respondent shall pay the costs associated with
3 probation monitoring each and every year of probation. Such costs shall be payable to the Board
4 of Psychology at the end of each fiscal year (July 1 - June 30). Failure to pay such costs shall be
5 considered a violation of probation.

6 7. OBEY ALL LAWS Respondent shall obey all federal, state, and local
7 laws and all regulations governing the practice of psychology in California including the ethical
8 guidelines of the American Psychological Association. A full and detailed account of any and all
9 violations of law shall be reported by Respondent to the Board or its designee in writing within
10 seventy-two (72) hours of occurrence.

11 8. QUARTERLY REPORTS Respondent shall submit quarterly
12 declarations under penalty of perjury on forms provided by the Board or its designee, stating
13 whether there has been compliance with all the conditions of probation.

14 9. PROBATION COMPLIANCE Respondent shall comply with the Board's
15 probation program and shall, upon reasonable notice, report to the assigned District Office of the
16 Medical Board of California or other designated probation monitor. Respondent shall contact the
17 assigned probation officer regarding any questions specific to the probation order. Respondent
18 shall not have any unsolicited or unapproved contact with 1) complainants associated with the
19 case; 2) Board members or members of its staff; or 3) persons serving the Board as expert
20 evaluators.

21 10. INTERVIEW WITH BOARD OR ITS DESIGNEE Respondent shall
22 appear in person for interviews with the Board or its designee upon request at various intervals
23 and with reasonable notice.

24 11. CHANGES OF EMPLOYMENT Respondent shall notify the Board in
25 writing, through the assigned probation officer, of any and all changes of employment, location,
26 and address within 30 days of such change.

27 12. TOLLING FOR OUT-OF-STATE PRACTICE, RESIDENCE OR IN-
28 STATE NON-PRACTICE In the event Respondent should leave California to reside or to

1 practice outside the State or for any reason should Respondent stop practicing psychology in
2 California, Respondent shall notify the Board or its designee in writing within ten days of the
3 dates of departure and return or the dates of non-practice within California. Non-practice is
4 defined as any period of time exceeding thirty days in which Respondent is not engaging in any
5 activities defined in Sections 2902 and 2903 of the Business and Professions Code. Periods of
6 temporary or permanent residency or practice outside California or of non-practice within
7 California will not apply to the reduction of this probationary period, although the Board may
8 allow Respondent to complete certain terms of probation that are not associated with active
9 practice.

10 13. EMPLOYMENT AND SUPERVISION OF TRAINEES If Respondent is
11 licensed as a psychologist, he shall not employ or supervise or apply to employ or supervise
12 psychological assistants, interns or trainees during the course of this probation. Any such
13 supervisory relationship in existence on the effective date of this probation shall be terminated
14 by Respondent and/or the Board.

15 14. FUTURE REGISTRATION OR LICENSURE If Respondent is currently
16 registered as a psychological assistant and subsequently obtains other psychological assistant
17 registrations or becomes licensed as a psychologist during the course of this probationary order,
18 Respondent agrees that this Decision shall remain in full force and effect until the probationary
19 period is successfully terminated. Future registration or licensure shall not be approved,
20 however, until Respondent is currently in compliance with all of the terms and conditions of
21 probation.

22 15. VIOLATION OF PROBATION If Respondent violates probation in any
23 respect, the Board may, after giving Respondent notice and the opportunity to be heard, revoke
24 probation and carry out the disciplinary order that was stayed. If an Accusation or Petition to
25 Revoke Probation is filed against Respondent during probation, the Board shall have continuing
26 jurisdiction until the matter is final, and the period of probation shall be extended until the matter
27 is final. No Petition for Modification or Termination of Probation shall be considered while
28 there is an Accusation or Petition to Revoke Probation pending against Respondent.



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DATED: July 25, 2003.

TAYLOR SCHNEIDER
Deputy Attorney General

DOJ Docket Number: 03598160-LA01 1801

Exhibit A

Accusation No. W-220

1 BILL LOCKYER, Attorney General
of the State of California
2 E. A. JONES III, State Bar No. 71375
Deputy Attorney General for
3 JOHN DeCure, Deputy Attorney General
California Department of Justice
4 300 South Spring Street, Rm 1702
Los Angeles, CA 90013
5 Telephone: (213) 897-2543
Facsimile: (213) 897-1071

6 Attorneys for Complainant

FILED
STATE OF CALIFORNIA
BOARD OF PSYCHOLOGY
SACRAMENTO September 12, 01
BY M. Jackmann ANALYST

8 **BEFORE THE**
9 **BOARD OF PSYCHOLOGY**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. W220

13 PETER JAY, Ph.D.
2841 Hackett Avenue
Long Beach, CA 90815

ACCUSATION

14 Psychologist License No. PSY13216

15 Respondent.

16
17 Complainant alleges:

18 PARTIES

19 1. Thomas O'Connor ("Complainant") brings this Accusation solely in his
20 official capacity as the Executive Officer of the Board of Psychology, Department of Consumer
21 Affairs, State of California (the "Board").

22 2. On or about March 1, 1993, the Board issued Psychologist License
23 Number PSY13216 to Peter Jay, Ph.D. ("Respondent"). The Psychologist License was in full
24 force and effect at all times relevant to the charges brought herein and will expire on June 30,
25 2002, unless renewed.

26 JURISDICTION

27 3. This Accusation is brought before the Board under the authority of the
28

1 following sections of the Business and Professions Code ("Code").

2 4. Section 2960 of the Code states:

3 The board may refuse to issue any registration or license, or may issue a
4 registration or license with terms and conditions, or may suspend or revoke the
5 registration or license of any registrant or licensee if the applicant, registrant, or licensee
6 has been guilty of unprofessional conduct. Unprofessional conduct shall include, but not
7 be limited to:

8 (a) Conviction of a crime substantially related to the qualifications, functions or
9 duties of a psychologist or psychological assistant.

10 (b) Use of any controlled substance as defined in Division 10 (commencing with
11 Section 11000) of the Health and Safety Code, or dangerous drug, or any alcoholic
12 beverage to an extent or in a manner dangerous to himself or herself, any other person, or
13 the public, or to an extent that this use impairs his or her ability to perform the work of a
14 psychologist with safety to the public.

15 (c) Fraudulently or neglectfully misrepresenting the type or status of license or
16 registration actually held.

17 (d) Impersonating another person holding a psychology license or allowing
18 another person to use his or her license or registration.

19 (e) Using fraud or deception in applying for a license or registration or in passing
20 the examination provided for in this chapter.

21 (f) Paying, or offering to pay, accepting, or soliciting any consideration,
22 compensation, or remuneration, whether monetary or otherwise, for the referral of clients.

23 (g) Violating Section 17500.

24 (h) Willful, unauthorized communication of information received in professional
25 confidence.

26 (i) Violating any rule of professional conduct promulgated by the board and set
27 forth in regulations duly adopted under this chapter.

28 (j) Being grossly negligent in the practice of his or her profession.

1 (k) Violating any of the provisions of this chapter or regulations duly adopted
2 thereunder.

3 (l) The aiding or abetting of any person to engage in the unlawful practice of
4 psychology.

5 (m) The suspension, revocation or imposition of probationary conditions by
6 another state or country of a license or certificate to practice psychology or as a
7 psychological assistant issued by that state or country to a person also holding a license or
8 registration issued under this chapter if the act for which the disciplinary action was taken
9 constitutes a violation of this section.

10 (n) The commission of any dishonest, corrupt, or fraudulent act.

11 (o) Commencing January 1, 1999, until January 1, 2001, any act of sexual abuse,
12 or sexual relations with a patient or former patient within two years following termination
13 of therapy, or sexual misconduct that is substantially related to the qualifications,
14 functions or duties of a psychologist or psychological assistant or registered psychologist.

15 On and after January 1, 2001, any act of sexual abuse, or sexual relations with a
16 patient, or sexual misconduct that is substantially related to the qualifications, functions
17 or duties of a psychologist, psychological assistant, or registered psychologist.

18 (p) Functioning outside of his or her particular field or fields of competence as
19 established by his or her education, training, and experience.

20 (q) Willful failure to submit, on behalf of an applicant for licensure, verification
21 of supervised experience to the board.

22 (r) Repeated acts of negligence.

23 The board shall study and report to the Legislature on or before July 1, 2000,
24 concerning the efficacy of the prohibition contained in subdivision (o).

25 5. Section 2964.6 of the Code states:

26 An administrative disciplinary decision that imposes terms of probation may
27 include, among other things, a requirement that the licensee who is being placed on
28 probation pay the monetary costs associated with monitoring the probation.

1 6. Section 125.3 of the Code states, in pertinent part, that the Board may
2 request the administrative law judge to direct a licentiate found to have committed a violation or
3 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
4 and enforcement of the case.

5 FIRST CAUSE FOR DISCIPLINE

6 (Gross Negligence)

7 7. Respondent is subject to disciplinary action under section 2960,
8 subdivision (j) of the Code in that respondent was grossly negligent. The circumstances are as
9 follows:

10 a. On or about February 13, 1996, Ventura County Sheriff's
11 Department deputies responded to a "check the well being" call at a trailer occupied by
12 V.F. and her seven year old daughter. V.F. claimed that her sister had attacked her and
13 stolen her six month old unborn fetus from her stomach. A mental health crisis team was
14 called to the scene and V.F. was placed on a 72 hour hold pursuant to Welfare and
15 Institutions Code section 5150.

16 b. On or about April 17, 1996, John L. Wallace, Ph.D., prepared a
17 Psychological Examination Report on behalf of the Division of Mental Hygiene and
18 Mental Retardation, Rural Clinics Community Outpatients Services, Carson Mental
19 Health Center, Carson City, Nevada, directed to the Public Defender for Ventura County
20 in Ventura, California, regarding V.F. The report, which was based *inter alia* on three
21 meetings with V.F., included a diagnosis of schizophrenia, undifferentiated type for V.F.
22 The report noted that at a time when V.F. had physical custody of her daughter and her
23 husband, J.C., had legal custody, V.F. and her daughter disappeared for two and a half
24 years during which they had no communication with J.C. or V.F.'s family. V.F. thereafter
25 was found in June 1993 in custody in Santa Ana, California, where she had apparently
26 been place on a hold pursuant to Welfare and Institutions Code section 5150.

27 c. On or about March 10, 1998, David L. Antion, Ph.D., prepared a
28 confidential psychological report directed to the Department of Children and Family

1 Services in Santa Fe Springs, California. Based on psychological assessments
2 administered and an interview with V.F., the report stated that V.F. suffered from a
3 psychotic disorder and that she had an unusual system of beliefs and thinking pattern. It
4 noted that if V.F. discontinued her medications she would fall back into paranoia and her
5 unusual, bizarre thinking pattern. The report also noted that, according to other reports
6 written, V.F. had been involuntarily held on three occasions pursuant to Welfare and
7 Institutions Code section 5150.

8 d. On or about June 1, 1998, Ernesto M. Natividad, M.D., writing on
9 behalf of the Los Angeles County Mental Health Department, Long Beach Mental Health
10 Center, Long Beach, California, indicated that V.F. was under his medical supervision
11 and was initially evaluated on March 20, 1998 for "Psychotic Disorder NOS,
12 Schizophrenia, Chron. Paranoid type" and was at that time stable on medications.

13 e. On or about September 8, 1999, respondent completed a
14 psychological report on V.F. Respondent stated that the report was based on an
15 evaluation of the V.F., "a close scrutiny of her considerable prior records," discussions
16 with her psychiatrist [Dr. Natividad] and respondent's considerable experience working
17 with trauma survivors. Respondent concluded in the report that V.F. "appears a domestic
18 violence survivor, not a paranoid schizophrenic by her history, by her presentation, by her
19 treatment and according to results of this evaluation."

20 f. On or about September 8, 1999, respondent wrote a letter on behalf
21 of the County of Los Angeles Department of Mental Health, Long Beach Mental Health--
22 Adult Services, to the Los Angeles Sheriff's Department in Long Beach, California
23 regarding V.F. and her husband, J.C. In the letter respondent indicated that V.F. had a
24 mental health diagnosis of Physical Abuse of Adult and Post-traumatic Stress Disorder
25 and appeared to be the survivor of domestic abuse--of severe physical, verbal and
26 psychological abuse by J.C. Respondent further stated that J.C. "appears to have the
27 mental health diagnosis of sociopathic personality disorder (sadistic type)." Respondent
28 stated that this is one of "the worst types of parasitic predators." On or about, September

1 16, 1999, respondent wrote another letter on behalf of the County of Los Angeles
2 Department of Mental Health, Long Beach Mental Health--Adult Services, to the County
3 of Los, Domestic Violence Court, Division 8 (Judge Andrews) in Long Beach, California
4 In the letter respondent indicated that V.F. had a mental health diagnosis of Physical
5 Abuse of Adult and Post-traumatic Stress Disorder and appeared to be the survivor of
6 domestic abuse--of severe physical, verbal and psychological abuse by J.C. Respondent
7 further stated that J.C. "appears to have the mental health diagnosis of sociopathic
8 personality disorder (sadistic type)." Respondent stated that this is one of "the worst
9 types of parasitic predators." At the time respondent wrote the September 8 and 16, 1999
10 letters he had never evaluated or treated J.C.

11 g. Respondent was grossly negligent on or about September 8, 1999,
12 when he failed to competently and objectively evaluate V.F. by diagnosing her as a
13 domestic violence survivor and failing to appropriately address her history of psychosis.

14 h. Respondent was grossly negligent on or about September 8, 1999
15 and September 16, 1999, when he inappropriately diagnosed and publicly offered an
16 opinion on J.C., an individual whom he had not treated or evaluated.

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DATED: September 12, 2001


THOMAS O'CONNOR
Executive Officer
Board of Psychology
State of California
Complainant

DECLARATION OF SERVICE BY CERTIFIED MAIL

In the Matter of the Accusation Filed
Against:

Peter Jay, Ph.D.

No. : W220

I, the undersigned, declare that I am over 18 years of age and not a party to the within cause; my business address is 1422 Howe Avenue, Ste. 22 Sacramento, California 95825. I served a true copy of the attached:

DECISION AND ORDER

by mail on each of the following, by placing same in an envelope (or envelopes) addressed (respectively) as follows:

NAME AND ADDRESS

CERT NO.

Peter Jay, Ph.D.
Department of Mental Health
Adult Services
1975 Long Beach Boulevard
Long Beach, CA 90806-5501

7002 0860 0004 1219 5227

Peter Jay, Ph.D.
2841 Hackett Avenue
Long Beach, CA 90815

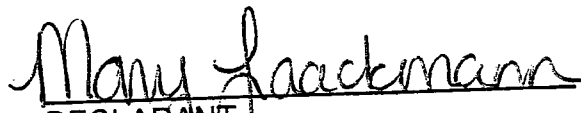
7002 0860 0004 1219 5234

Gary Wittenberg, Esq.
Baranov & Wittenberg
2029 Century Park East, Suite 300
Los Angeles, CA 90067-2904

Taylor Schneider
Deputy Attorney General
300 So. Spring St., Suite 1702
Los Angeles, CA 90013

Each said envelope was then on, August 26, 2003, sealed and deposited in the United States mail at Sacramento, California, the county in which I am employed, as certified mail, with the postage thereon fully prepaid, and return receipt requested.

Executed on, August 26, 2003, at Sacramento, California.
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.


DECLARANT
Mary Laackmann
Enforcement Analyst